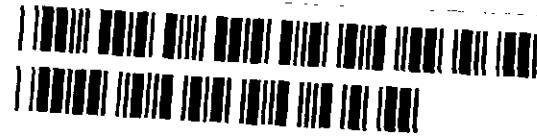
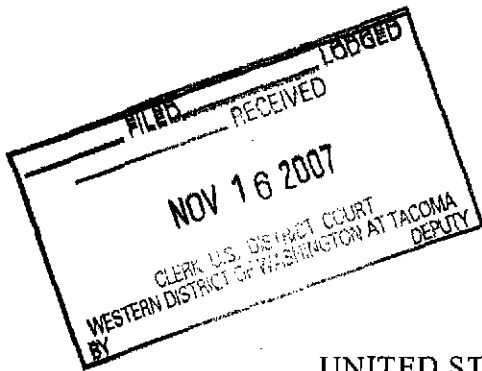


Judge Franklin D. Burgess



05-CR-05828-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN TUBBS,

Defendant.

NO. CR05-5828FDB

REQUEST AND ORDER
FOR DISMISSAL

Comes now, the United States of America, by and through Jeffrey C. Sullivan,
United States Attorney for the Western District of Washington, Mark N. Bartlett,
First Assistant United States for said District, and Andrew C. Friedman, Assistant
United States Attorney for said District, pursuant to Federal Rule of Criminal Procedure
48(a), and asks that the Court dismiss the charges brought in this case against
Kevin Tubbs.

In addition to being charged in this case, Tubbs also was charged with conspiracy
to commit arson and with a number of counts of arson in a related case in the District of
Oregon. *United States v. Kevin Tubbs*, No. CR 06-60070-1-AA (D. Ore.). Tubbs pled
guilty to charges in that case and was sentenced to 151 months' imprisonment. As part of
the plea agreement in that case, the United States agreed to dismiss the charges against

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1 Tubbs in this case. As a result, the United States hereby moves to dismiss the charges
2 against Tubbs.

3 DATED this 15th day of May, 2007.

4 Respectfully submitted,

5 JEFFREY C. SULLIVAN
6 United States Attorney

7
8 s/Mark N. Bartlett

9 MARK N. BARTLETT

10 First Assistant United States Attorney

11 s/Andrew C. Friedman

12 ANDREW C. FRIEDMAN

13 Assistant United States Attorney

14 United States Attorney's Office

15 700 Stewart Street, Suite 5220

16 Seattle, Washington 98101

17 Telephone: (206) 553-2277

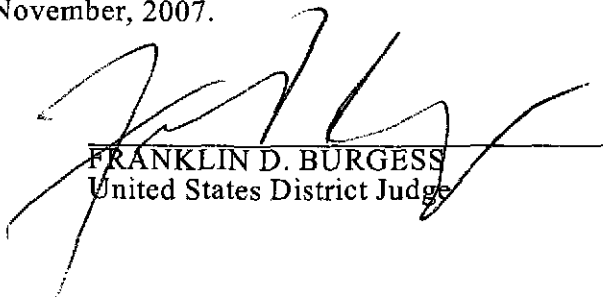
18 Fax: (206) 553-0755

19 E-mail: Andrew.Friedman@usdoj.gov

20 Mark.Bartlett@usdoj.gov

21 Leave of the Court is granted for the filing of the foregoing dismissal, and the
22 charges against Kevin Tubbs in the Fourth Superseding Indictment are hereby
23 DISMISSED.

24 DATED this 15 day of November, 2007.

25 
FRANKLIN D. BURGESS
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of November, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the defendant(s). I hereby certify that I have served the attorney(s) of record for the defendant(s) that are non CM/ECF participants via U. S. States First Class Mail or via facsimile.

s/Elisa G. Jimenez
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